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09-22-00

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GPA-1655

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|-----------------------------|---|----------|-----------------------------------|----------|
| DOCKET NUMBER 7885.56USW | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION | |
| | CLASS | SUBCLASS | EXAMINER TECH CENTER 1600/2000 | ART UNIT |
| | | | B. Sisson | 1655 |

CERTIFICATE UNDER 37 C.F.R. § 1.10:

"Express Mail" mailing label number: EL67489655US

Date of Deposit: September 21, 2000

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Linda McCormick
Name: Linda McCormick

#13
B. Webb
9/26/00

REQUEST FOR CONTINUED PROSECUTION APPLICATION UNDER 37 C.F.R. § 1.53(d)

By: B. Webb
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This is a request for filing a continued prosecution application under 37 CFR § 1.53(d) of prior pending patent application Serial No. 09/125,953, filed on December 10, 1998 which is a National Stage application of PCT/NO97/00083 entitled IMMUNO-MAGNETIC CELL SEPARATION USED IN IDENTIFICATION OF GENES ASSOCIATED WITH SITE-PREFERENCED CANCER METHASTASIS FORMATION by the following inventor(s):

| | | | | |
|---|-------------------------|---------------------|--------------------------|--------------------------|
| 2 | Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| | | Fodstad | Oystein | |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| | | Oslo | Norway | Norway |
| 1 | Post Office Address | Post Office Address | City | State & Zip Code/Country |
| | | Frits Kiaers v. 28 | Oslo | N-0383 Norway |
| 2 | Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| | | Hovig | Johannes | Eivind |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| | | Oslo | Norway | Norway |
| 2 | Post Office Address | Post Office Address | City | State & Zip Code/Country |
| | | Sognsveien 31 | Oslo | N-0851 Norway |
| 2 | Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| | | Engebraten | Olav | |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| | | Lorenskog | Norway | Norway |
| 3 | Post Office Address | Post Office Address | City | State & Zip Code/Country |
| | | Haneborgsvn 43 A | Lorenskog | N-1470 Norway |
| 2 | Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| | | Ree | Anne | Hansen |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| | | Haslum | Norway | Norway |
| 4 | Post Office Address | Post Office Address | City | State & Zip Code/Country |
| | | Kirkeveien 87 A | Haslum | N-1344 Norway |

09/25/2000 EXAMMOND 00000508 09123553

01 FC:231

240.00 00

02 FC:215

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☒ Enter the amendment previously filed on July 21, 2000, but unentered, in the prior application.
2. ☐ A preliminary amendment is enclosed.

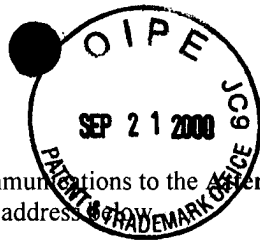
The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 above:

CLAIMS AS FILED

| NUMBER FILED | NUMBER EXTRA | | RATE | FEE |
|---------------------------|--------------|---|--------------------------|-----------------|
| TOTAL CLAIMS: | | | | |
| 9 -20 | 0 | x | \$0 | \$0.00 |
| INDEPENDENT CLAIMS | | | | |
| 1 -3 | 0 | x | \$0 | \$0.00 |
| | | | BASIC FILING FEE: | \$345.00 |
| | | | TOTAL FILING FEE: | \$345.00 |
| | | | | |

- ☒ A Verified Statement that this filing is by a small entity (37 CFR 1.9, 1.27, 1.28) is already filed in the prior application.
- ☐ A Verified Statement that this filing is by a small entity (37 CFR 1.9, 1.27, 1.28) is attached.
3. ☒ Payment of fees:
 - ☒ Attached is a check in the amount of \$ \$345.00.
 - ☐ Please charge Deposit Account No. 13-2725.
4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
5. ☒ Priority of application Serial No. 961221, filed on March 26, 1996 in Norway, is claimed under 35 U.S.C. 119.
6. ☒ The certified copy has been filed in prior application Serial No. PCT/NO97/00083, filed March 25, 1997.
7. ☒ The prior application is assigned of record to Oystein Fodstad located at Frits Kiaers V. 28, N-0383, Oslo, Norway.
8. ☒ The Power of Attorney in the prior application is to:

Merchant & Gould P.C.
Minneapolis, MN 55402
(612/332-5300)
9. ☒ A petition and fee to extend the term in the prior application until September 21, 2000 are enclosed herewith.
10. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
11. ☒ Also Enclosed: Information Disclosure Statement; PTO Form 1449 and 3 References



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12. ☒ Address all future communications to the attention of John J. Gresens (may only be completed by attorney or agent of record) at the address below.
13. ☒ A return postcard is enclosed.


TECH CENTER 1600/2900

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612/332-5300



Date: September 21, 2000



John J. Gresens
Reg. No. 33,112
JJG/sef